

REMARKS/ARGUMENTS

This is a preliminary amendment for the RCE Application filed on eventdate herewith. This is responsive to Examiner's rejection contained in the to the Office Action of January 24, 2006 issued in the parent case. That Office Action was made final. The period of response has been extended by one (1) month by the enclosed Petition for Extension of Time to May 24, 2006. In that Office Action the Examiner noted that corrected drawings were required. In addition, the Examiner rejected claims 1-8 under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner also rejected claims 1-2 & 4-7 under 35 U.S.C. 102(b) as being anticipated by Schneider. Claims 3 and 8 were rejected under 35 U.S.C. 103(a) as being unpatentable over Schneider in further in view of Mosavi et al. (USPN 6,252,195).

Applicants will submit separately corrected drawings in accordance with the Examiner's requirements.

Applicants have amended the claims to distinctly point out that the first frame is a vibrating frame. The work piece and spherical lens are both mounted to the first frame and both the spherical lens and the workpiece vibrate substantially in unison with the first vibrating frame. The second frame, to which the laser is mounted, is substantially isolated from the first vibrating frame, and does not vibrate, i.e., substantially non-vibrating. The laser beam emitted by the non-vibrating laser passes through the vibrating lens and is focused on the vibrating workpiece. The Examiner is respectfully requested to make the claims of record.

The rejection of claims 1-8 under 35 U.S.C. 112 as being indefinite is respectfully traversed.

Applicants respectfully submit that the amendments to the claims have made this rejection moot.

Accordingly, on the basis of the foregoing discussion, the Examiner is respectfully requested to withdraw this rejection.

The rejection of claims 1-2 and 4-7 under 35 U.S.C. 102(b) as being anticipated by Schneider is respectfully traversed.

Applicants respectfully submit that the Schneider reference does not anticipate or disclose the present invention. Schneider does not disclose a vibrating spherical lens mounted to a vibrating frame

which is used to drill a vibrating workpiece. Schneider discloses a non-vibrating laser and a non-vibrating lens. Schneider does not disclose a vibrating spherical lens used to focus a laser beam onto a vibrating workpiece in order to drill the workpiece. In Schneider, the workpiece is caused to vibrate by the laser beam, it is not vibrating as a result of being mounted to a vibrating machine frame, and as previously mentioned Schneider does not disclose a vibrating spherical lens.

Accordingly, the Examiner is respectfully requested to withdraw this rejection.

The rejection of claims 3 and 8 under 35 U.S.C. 103(a) as being unpatentable over Schneider, as stated above in further review of Mosavi et al. (USPN 6,252,195) is respectfully traversed.

As stated above, Schneider neither discloses nor suggests Applicants' novel invention having a vibrating lens for focusing the beam of a vibrationally isolated laser onto a vibrating workpiece in order to drill the vibrating workpiece. Similarly, Mosavi et al. neither disclose nor suggest Applicants' novel invention having a vibrating lens for focusing the beam of a vibrationally isolated laser onto a vibrating workpiece in order to drill the vibrating workpiece. The combination of Schneider and Mosavi et al. would not produce Applicants' novel apparatus and method, and the references in combination neither disclose nor suggest Applicants' novel apparatus and method.

Accordingly, the Examiner is respectfully requested to withdraw this rejection.

Therefore, on the basis of the foregoing discussion, the Examiner is respectfully requested to withdraw her rejections, make the amendments of record, and allow the claims.

Respectfully submitted,
R. CHRISTOPHER CARNEY ET AL.

By: /E.Richard Skula, Reg. No. 31,061/
E. Richard Skula
Attorney for Applicants
Reg. No. 31,061

Johnson & Johnson
One Johnson & Johnson Plaza
New Brunswick, NJ 08933-7003
(732) 524-2718
Dated: May 24, 2006
Docket No. ETH5081